

Pennsylvania Lobbying Disclosure Requirements

THIS GUIDE IS NOT LEGAL ADVICE. Direct any questions to your organization's legal counsel.

DEFINITIONS

Lobbying—State definition (NOT Philadelphia)

Lobbying is an “effort to influence legislative action or administrative action,” which is defined as “any attempt to initiate, support, promote, modify, oppose, delay or advance a legislative action or administrative action on behalf of a principal for economic consideration and includes engaging a lobbyist.” [65 § 13A03](#); [51 § 51.1](#)

Lobbying in Pennsylvania includes:

- Direct communications (direct lobbying) or indirect communications (grassroots lobbying);
- Office expenses; and
- Providing any gift, hospitality, transportation or lodging to a state official or employee for the purpose of advancing the interest of the lobbyist or principal. [65 § 13A03](#)

Direct communications

Direct lobbying includes any “effort, whether written, oral or by any other medium, made by a lobbyist or principal, directed to a state official or employee, the purpose or foreseeable effect of which is to influence legislative action or administrative action. The term may include personnel expenses and office expenses.” [65 § 13A03](#)

Indirect (or grassroots) communications

- An effort, whether written, oral or by any other medium, to encourage others, including the general public, to take action, the purpose or foreseeable effect of which is to directly influence legislative action or administrative action.
- Includes letter-writing campaigns, mailings, telephone banks, print and electronic media advertising, billboards, publications and educational campaigns on public issues.
- Does not include regularly published periodic newsletters primarily designed for and distributed to members of a bona fide association or charitable or fraternal nonprofit corporation.
- May include personnel expenses and office expenses. [65 § 13A03](#); [51 § 55.1\(h\)\(3\)](#)

DIRECT LOBBYING

Any expenditure to communicate directly with a legislator, government official, or their staff that:

1. Refers to specific legislation or administrative action;
2. Reflects a view on the specific bill or action; and
3. Is intended to influence the outcome.

Is NOT lobbying: “Hi, Senator. We support legislation that reduces the number of people incarcerated in PA.”

IS lobbying: “Hi, Senator. We support SB 1 because it would reduce pretrial detention in PA.”

INDIRECT LOBBYING

Any expenditure to communicate with the public that:

1. Refers to specific legislation or administrative action;
2. Reflects a view on the specific bill or action; and
3. Encourages the public to contact the official in order to influence the outcome.

Is NOT lobbying: “Hey everyone! We oppose SB 3. It will contribute to mass incarceration.”

IS lobbying: “Hey everyone! We oppose SB 3. Click here to ask your senator to oppose it too!”

Lobbyist

"An individual, firm, association, corporation, partnership, business trust or business entity that engages in lobbying on behalf of a principal for economic consideration." This definition includes an attorney at law while engaged in lobbying. [65 § 13A03](#) Membership in an association alone is not sufficient to make an association member a lobbyist. [51 § 51.1](#)

Principal

Any individual, firm, association, corporation, partnership, business trust or business entity (1) on whose behalf a lobbying firm or lobbyist influences or attempts to influence an administrative action or a legislative action; or (2) that engages in lobbying on the principal's own behalf. [65 § 13A03](#)

Legislation

"Bills, resolutions, amendments and nominations pending or proposed in either the Senate or the House of Representatives. The term includes any other matter which may become the subject of action by either chamber of the General Assembly." [65 § 13A03](#)

Administrative regulations broaden the language of "any other matter" to specifically (but not exclusively) include draft legislation and "any bills, resolutions, amendments, and nominations pending or proposed by any state official or employee." [51 § 51.1](#)

Legislative action

An action taken by a state official or employee involving the preparation, research, drafting, introduction, consideration, modification, amendment, approval, passage, enactment, tabling, postponement, defeat or rejection of any of the following:

- Legislation;
- Legislative motions;
- A veto by the Governor; or
- Confirmation of appointments by the Governor or appointments to public boards or commissions by a member of the General Assembly. [65 § 13A03](#)

Agency

A state agency means an "agency, board, commission, authority or department of the executive department of the Commonwealth." [65 § 13A03](#)

Administrative action

All of the following are considered state administrative actions. An agency's:

- Proposal, consideration, promulgation or rescission of a regulation;
- Development or modification of a statement of policy;
- Approval or rejection of a regulation; or
- Procurement of supplies, services and construction under the Commonwealth Procurement Code;
- The review, revision, approval or disapproval of a regulation;
- The Governor's approval or veto of legislation;
- The nomination or appointment of an individual as an officer or employee of the Commonwealth; or
- The proposal, consideration, promulgation or rescission of an executive order. [65 § 13A03](#)

REGISTRATION

Who does NOT need to register as a lobbyist?

There are 15 exemptions to PA's lobbying requirements, including, but not limited to:

- An individual who does not receive economic consideration for lobbying.
- An individual whose economic consideration for lobbying, from all principals represented, does not exceed **\$3,000** in the aggregate during any reporting period.
- An individual who engages in lobbying on behalf of the individual's employer if the lobbying represents less than **20 hours** during any reporting period.
- A principal whose total expenses for lobbying purposes do not exceed **\$3,000** during any reporting period.
- An individual who limits lobbying to preparing testimony and testifying before a committee of the General Assembly or participating in an administrative proceeding of an agency.
- Participating as a party or as an attorney at law or representative of a party, case or controversy in any administrative adjudication pursuant to [2 Pa.C.S.](#); [65 § 13A06\(6\)](#); [51 § 57.2](#)

Who DOES have to register as a lobbyist?

Registration is covered under [65 § 13A04](#) and [51 § 53](#).

- **Individuals:** Individuals must register within 10 days of exceeding \$3,000 of lobbying expenses or 20 hours of lobbying in a quarterly reporting period. [65 § 13A04\(a\)](#); [65 §§ 13A06\(4\), \(5\)](#); [51 § 53.4\(a\)](#)
- **Principals:** A principal must register within 10 days of exceeding \$3,000 of lobbying expenses in a quarterly reporting period. [65 § 13A04\(a\)](#), [65 § 13A05\(d\)](#); [65 § 13A06\(6\)](#); [51 § 53.2](#)

Registration generally

- **Duration:** Registration is effective on a set biennial schedule. [65 § 13A04\(a\)](#); [51 § 53.2\(i\)](#)
- **Fee:** The biennial registration fee is \$300. [65 § 13A10\(a\)](#); [51 § 53.1](#); [44 Pa.B. 7671](#)
- **Termination of registration:** [51 § 53.6](#)



REPORTING

Reporting generally

Once registered, principals / individuals must electronically file quarterly expense reports. Reporting requirements are covered under [65 Pa.C.S. § 13A05](#) and [51 Pa Code § 55](#).

NOTE: Once registered as either a principal or individual, if—during any reporting period—you spend fewer than 20 hours / less than \$3,000 on lobbying activities, **you are still required to submit a report** indicating you didn't meet the threshold for that period. [51 Pa Code § 55.1\(b\)](#)

What lobbying-related expenses must be reported to the state?

- **Personnel expenses:** Allocable portion of employee compensation in support of lobbying activities. [51 § 55.1\(h\)\(3\)](#)
- **Office expenses:** Any office expenses used in support of lobbying activities. [51 § 55.1\(h\)\(2\)\(i\)](#)
- **Preparation:** All of the preparation costs, including staff time spent on research, transportation, photocopying, and other similar expenses incurred in lobbying state legislators are reportable direct lobbying expenditures. [65 § 13A03](#)
- **Gifts:** "Gifts" must be reported and include anything which is received without consideration of equal or greater value. [65 § 13A03](#); [65 § 13A05\(b\)\(2\)](#)
 - Reporting for gifts begins at \$250 to any one individual in a calendar year. [51 § 55.1\(j\)\(3\)](#)
 - Governor Wolf implemented a total gift ban for executive branch staff. Other agencies have followed suit, e.g., the Turnpike Commission, Liquor Control Board, Public Utility Commission.
 - PA Senate and House members have banned all cash gifts of any value.
- **Hospitality:** "Hospitality" includes meals, beverages, recreation, and entertainment. [65 § 13A03](#); [65 § 13A05\(b\)\(2\)](#)
 - Reporting for hospitality begins at \$650 to any one individual in a calendar year. [51 § 55.1\(j\)\(4\)](#)
- **Other c4 resources:** "The expense report shall also include the name, permanent business address and daytime telephone number of any individual, association, corporation, partnership, business trust or other business entity which contributed more than 10% of the total resources received by the principal c4 during the reporting period." [65 § 13A05\(b\)\(5\)](#)

Prohibited activities

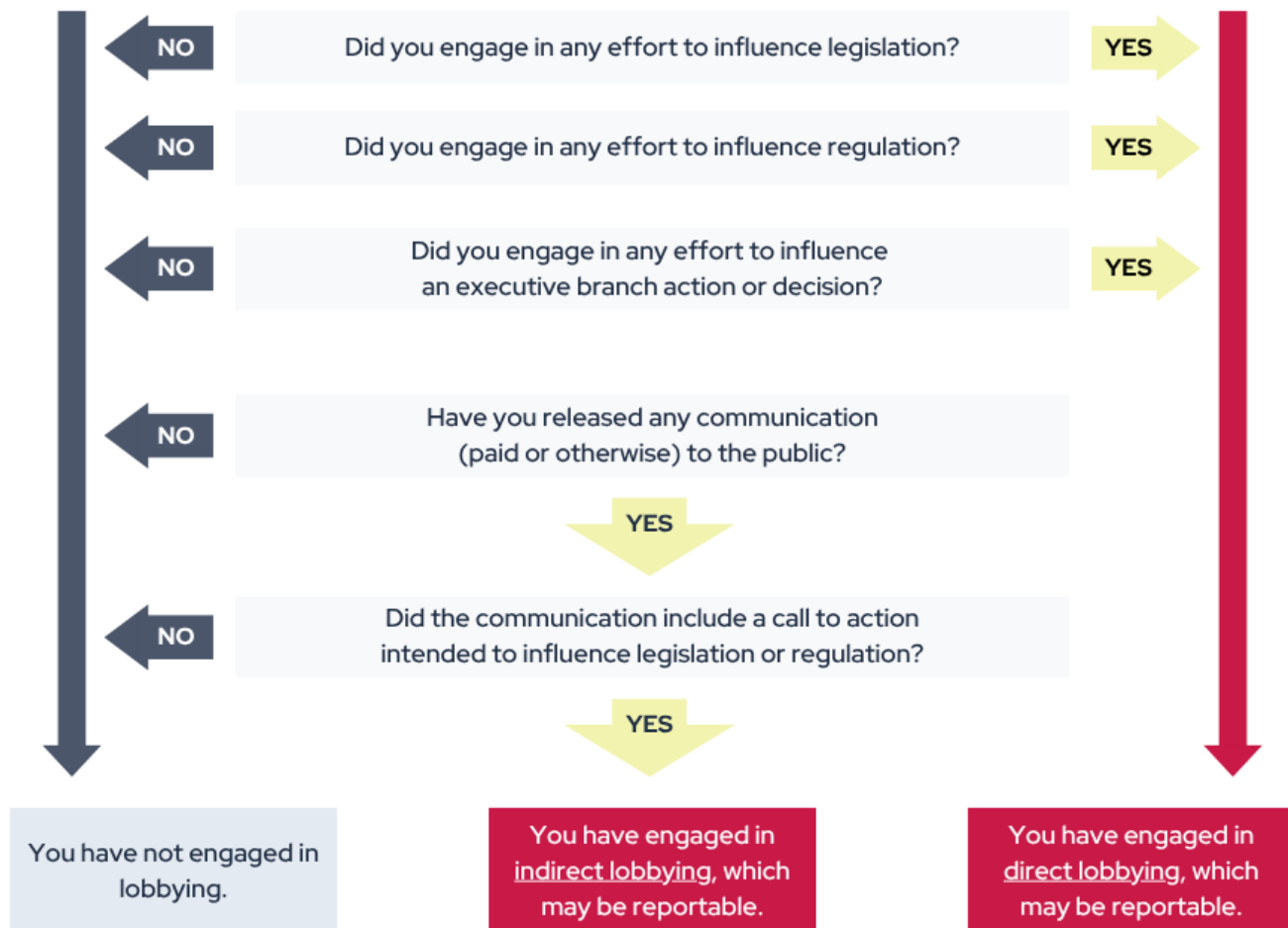
Prohibited activities of registered lobbyists include restrictions regarding campaign contributions, serving on political campaign committees, and revolving door restrictions. See [65 § 13A07](#) for all prohibitions.

State reporting period / calendar quarters & deadlines

Failure to file on time results in the following penalties: (1) For the first 10 late days, \$50 for each late day. (2) For each late day after the first 10 late days through the 20th late day, \$100 for each late day. (3) For each late day after the first 20 late days, \$200 for each late day. [65 § 13A09 \(c\)](#)

January 1 through March 31	Reporting deadline: April 30
April 1 through June 30	Reporting deadline: July 30
July 1 through September 30	Reporting deadline: October 30
October 1 through December 31	Reporting deadline: January 30

PA LOBBYING FLOWCHART



RESOURCES

PA Statute & PA Code regulations

- [65 Pa.C.S. § 13A. Lobbying Disclosure](#)
- [51 Pa. Code Part III. Lobbying Disclosure](#)

PA Department of State

[PA Lobbying Disclosure](#)

- [Online Lobbying Disclosure Help Guides](#)
- [Frequently Asked Questions About Lobbying Disclosure](#)

[PA Lobbying Services](#)

- [Keystone Login](#)
- [PA Lobbying Directory](#)

Other guides

- [Practical Guidance: What Nonprofits Need to Know About Lobbying in PA](#) (2022), Alliance for Justice
- [Lobbying By Nonprofits in Pennsylvania—The Rules of the Road](#) (2014), Lawrence J. Beaser, Esq.
- [Keeping Track: A Guide to Recordkeeping for Advocacy Charities](#) (2018), Alliance for Justice

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